

1957

OBI/EScoville:gs (26 Feb. 57)

3 FEB 1957

Honorable Lewis L. Strauss
Chairman
United States Atomic Energy Commission
Washington 25, D. C.

Dear Admiral Strauss:

We have received your letter of 15 February 1957 relating to the procedures for implementing the amendments to Section 103 of the Atomic Energy Act of 1954 by Public Law 1006. We are studying these proposed procedures in an effort to determine the problems which may arise in their implementation by this Agency. As soon as these studies are completed, I will forward to you our proposals for adoption of detailed procedures by this Agency.

Sincerely,

100-100000
Allen W. Dulles
Director

CONCURRENCES:

Assistant Director/Scientific Intelligence

Director of Security

S/ 28 FEB 1957

General Counsel

Legislative Counsel

Deputy Director/Intelligence

15 FEB 1957

Dear Mr. Dulles:

As you know, Section 143 of the Atomic Energy Act of 1954 was amended by Public Law 1006, approved on August 6, 1956, and now reads as follows:

"Sec. 143. DEPARTMENT OF DEFENSE PARTICIPATION.--

The Commission may authorize any of its employees, or employees of any contractor, prospective contractor, licensee or prospective licensee of the Commission, or any other person authorized access to Restricted Data by the Commission under Subsection 145b, to permit any employee of an agency of the Department of Defense or of its contractors, or any member of the Armed Forces to have access to Restricted Data required in the performance of his duties and so certified by the head of the appropriate agency of the Department of Defense or his designee: Provided, however, That the head of the appropriate agency of the Department of Defense or his designee has determined, in accordance with the established personnel security procedures and standards of such agency that permitting the member or employee to have access to such Restricted Data will not endanger the common defense and security; And provided further, That the Secretary of Defense finds that the established personnel and other security procedures and standards of such agency are adequate and in reasonable conformity to the standards established by the Commission under section 145."

To implement Section 143 of the Act the Commission has approved the policy of authorizing the Heads of Federal Departments and Agencies other than the Department of Defense to permit their employees or contractor employees who have been cleared by the AEC (excluding such employees who have been cleared by the AEC in connection with an access permit) to grant access to the Restricted Data in their possession to any employee of an agency of the Department of Defense or of its contractors, or any member of the Armed Forces provided that the Head of the appropriate agency of the Department of Defense or his designee certifies in writing that such member or employee needs the access in the performance of duty, possesses appropriate military clearance, and that permitting the access will not endanger the common defense and security.

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26 FEB 1957

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Public Law 703

1. The attached letter for your signature acknowledges receipt of a letter dated 15 February 1957 from the Chairman, AEC, which provides an explanation of Section 143 of the Atomic Energy Act of 1954, as amended by Public Law 1006.

2. The new procedures required for the oral and physical transfer of Restricted Data information to the Department of Defense are partially outlined in Mr. Strauss' letter. These procedures must be studied in detail with representatives of the Office of Security, Legislative Counsel and Legal Counsel. Subsequent meetings with AEC representatives will be held to determine the exact requirements.

3. It is even now apparent that the administrative burden required will be quite heavy and often cumbersome, particularly in our exchange of Restricted Data with military representatives of JAEIC and GMIC, and may partially nullify our objectives in getting the law amended last year.

HERBERT SCOVILLE, JR.
Assistant Director
Scientific Intelligence

cc: DD/I
Legal Counsel ✓
Legislative Counsel
Director of Security

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM					
UNCLASSIFIED		CONFIDENTIAL		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS	INITIALS	DATE		
1	<i>General</i> Legal Counsel				
2	<i>1. LKH</i>	<i>LKH</i>			
3	<i>2. CWP</i>	<i>9</i>			
4	<i>3. File : Leg/AEC</i>				
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	

Remarks:

FOLD HERE TO RETURN TO SENDER	
FROM: NAME, ADDRESS AND PHONE NO.	DATE
DCI	